

REMARKS

The Office Action mailed June 4, 2002, has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-18 have been cancelled without prejudice or disclaimer. Claims 19-49 are pending for consideration.

Allowable subject matter

The Office Action indicated that claims 3-17, 21-33, 35, 36, 38-41 and 45-47 contained allowable subject matter. Applicants have not amended these claims at this time, however, because, for the reasons discussed below, applicants believe that independent claims 19 and 42, from which these claims depend, are allowable.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 18-20, 34, 37, 42-44, 48 and 49 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,328,007 to Hirasawa et al. (hereafter "Hirasawa"). Applicants respectfully traverse this rejection for the following reasons.

The rejection with respect to claims 1, 2 and 18 is moot in light of the cancellation of those claims.

With respect to rejected claims 19-20, 34, 37, 42-44, 48 and 49, applicants submit that Hirasawa is not prior art to these claims, because these claims are entitled to a priority date of December 3, 1999. These claims are entitled to a priority date of December 3, 1999, because applicants have perfected their claim to foreign priority to Japanese patent application 11-344216 ("the '216 Japanese application") filed on December 3, 1999, and because these claims are fully supported by a chain of disclosures going back to and including the '216 Japanese application.

Applicants have perfected their claim to foreign priority to the '216 Japanese application filed on December 3, 1999. The present application, U.S. serial No. 09/912,388, was filed on July 26, 2001 as a continuation-in-part application claiming

priority under 35 U.S.C. § 120 to then copending application 09/728,477 (“the ‘477 application”), filed on December 4, 2000. The present application also claims foreign priority under 35 U.S.C. § 119 to Japanese patent application 2000-367770 (“the ‘770 Japanese application”) filed on December 1, 2000, and on the ‘216 Japanese application filed on December 3, 1999, a certified copy of which was filed in the ‘477 application. A claim for convention priority to the ‘770 and ‘216 Japanese applications was filed in the present application on July 26, 2001. A claim for convention priority to the ‘216 Japanese application was also filed in the ‘477 application. To perfect the claim to foreign priority to the ‘216 Japanese application, applicants hereby submit herewith a certified translation of the ‘216 Japanese application.

Claims 19-20, 34, 37, 42-44, 48 and 49 are fully supported by the disclosure in the present application, the ‘477 application and the ‘216 Japanese application. Figures 1-10 and the accompanying text of the present application fully support claims 19-20, 34, 37, 42-44, 48 and 49. Figures 1-10 of the ‘477 application, which are identical to Figures 1-10 of the present application, and the accompanying text fully support claims 19-20, 34, 37, 42-44, 48 and 49. Figures 2-10 of the ‘216 Japanese application, which are identical to Figures 1-9 of the ‘477 application, and the accompanying text fully support claims 19-20, 34, 37, 42-44, 48 and 49. Thus, claims 19-20, 34, 37, 42-44, 48 and 49 are fully supported by a chain of disclosure going back to and originating in the ‘216 Japanese application.

For the reasons given above, claims 19-20, 34, 37, 42-44, 48 and 49 are entitled to a priority date of December 3, 1999, prior to the filing date of Hirasawa of August 7, 2000. Thus, Hirasawa is not prior art to claims 19-20, 34, 37, 42-44, 48 and 49, and applicants respectfully request that the rejection of these claims under 35 U.S.C. § 102(e) be withdrawn.

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CONCLUSION

In view of the foregoing remarks, applicants respectfully submit that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.